

**EXHIBIT G**  
**(CHARRON TRANSCRIPT**  
**EXCERPTS)**

Robert F. Charron

New York, NY

June 12, 2008

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UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE ) No. 06 CV 2621

5 COMMISSION, )

)

6 Plaintiff, )

)

7 vs. )

)

8 ANDREAS BADIAN, JACOB SPINNER, )

MOTTES DRILLMAN, JEFFREY )

9 "DANNY" GRAHAM, POND )

SECURITIES CORPORATION d/b/a )

10 POND EQUITIES, EZRA BIRNBAUM )

and SHAYE HIRSCH, )

11 )

Defendants. )

12 -----x

13 Thursday, June 12, 2008

14 New York, New York

15 Time: 10:25 a.m.

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17 Deposition of ROBERT F. CHARRON, taken by  
18 Plaintiff, pursuant to Notice, held at the offices  
19 of Special Counsel, 600 Fifth Avenue, New York, New  
20 York, on Thursday, June 12, 2008 at 10:25 a.m.  
before Josephine H. Fassett, a Certified Court  
Reporter and Notary Public of the State of New York.

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Robert F. Charron

New York, NY

June 12, 2008

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<p>1            Robert F. Charron  2       the Commission's questions?  3       A   I don't believe so.  4            MR. GUIDO: I'd like to have marked as  5       Exhibit No. 5 --  6            MR. SOHN: Exhibit No. 6.  7            MR. GUIDO: -- a letter dated June 18,  8       2003 from Terry Pritchard to Chris Ehrman.  9            MR. SOHN: It should be Exhibit 6.  10          MR. GUIDO: Exhibit 6.  11          (June 18, 2003 Letter marked as  12       Exhibit 6, as of this date.)  13   BY MR. GUIDO:  14       Q   Would you please review Exhibit No. 6?  15       A   (Complies.)  16       Q   Did you have an opportunity to review  17       Exhibit No. 6?  18       MR. AUSLANDER: Have you read that  19       completely?  20       THE WITNESS: Yes, I have.  21   BY MR. GUIDO:  22       Q   Did you participate in the drafting of  23       Exhibit No. 6?  24       A   No.  25       Q   Did you review it before it was</p>	<p>1            Robert F. Charron  2       before this June 18th, 2003 letter was  3       submitted to the Commission?"")  4       A   I don't recall.  5       Q   This letter says on the first page  6       that no Rhino officer or employee, in the second  7       paragraph, the last sentence, it says no Rhino  8       officer or employee with knowledge of the facts was  9       willing to waive their constitutional rights, is  10      that true?  11      THE WITNESS: Can I answer?  12      MR. AUSLANDER: Yeah.  13      A   I didn't have any discussions with  14      Rhino about what their constitutional rights were.  15      Q   Did you make any effort to interview  16      any of the employees that you mentioned were  17      employees of Rhino?  18      A   Yes.  19      Q   And what did they tell you when you  20      interviewed them in preparation of the 21(a) report?  21      A   They would not speak to me with regard  22      to the 21(a), the content of the 21(a).  23      Q   Did they tell you why not?  24      A   I don't recall.  25      Q   Okay. Which employees did you attempt</p>
Page 43	Page 45
<p>1            Robert F. Charron  2       submitted to the Commission?  3       A   I don't believe so.  4       Q   Did you discuss it with anyone before  5       it was submitted to the Commission?  6       A   I don't believe so.  7       Q   Did you discuss any of the facts that  8       are contained in there with anyone before this  9       June 18th, 2003 letter was submitted to the  10      Commission?  11      MR. AUSLANDER: Objection. And if you  12      need to go ahead and take a look at that  13      because he said any of the facts discussed in  14      here, so maybe you want to look at it again  15      before you answer the question.  16      A   (Complies.)  17      MR. AUSLANDER: Okay. Do you want the  18      question read back?  19      THE WITNESS: Yeah.  20      MR. AUSLANDER: Just read back the  21      last question.  22      (Whereupon, the requested portion was  23      read back by the Reporter:  24      "Question: Did you discuss any of the  25      facts that are contained in there with anyone</p>	<p>1            Robert F. Charron  2       to speak to?  3       A   I believe I spoke to every current  4       employee of Rhino which -- yeah, I think, I believe  5       it was every current employee of Rhino.  6       Q   Was Ken Hill a current employee of  7       Rhino at that point in time?  8       A   Yes, I believe he was.  9       Q   And did he refuse to speak to you?  10      A   He said -- yes, I asked him if he  11      would speak with me in respect to the 21(a) and he  12      said no.  13      MR. BABNICK: I'm sorry, Ken, I didn't  14      catch that name, what was the employee's  15      name?  16      MR. GUIDO: Pardon?  17      MR. BABNICK: What was the employee's  18      name?  19      MR. GUIDO: Ken Hill.  20   BY MR. GUIDO:  21      Q   Did he tell you why he would not speak  22      to you?  23      A   I don't recall.  24      Q   Did you attempt to speak to Stefan  25      Siegel?</p>

12 (Pages 42 to 45)

Robert F. Charron

New York, NY

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1	Robert F. Charron	1	Robert F. Charron
2	A Yes.	2	question?
3	Q And what did he tell you?	3	MR. GUIDO: That's the end of the
4	A He would not speak to me with respect	4	question.
5	to the content of the 21(a).	5	MR. AUSLANDER: Ken, would you clarify
6	Q Did he tell you why?	6	for me the scope of that question? You said
7	A I don't recall.	7	did you ever tell anyone, so at this point
8	Q Did you try and speak to Charity	8	he's represented, he's acting as an agent for
9	Goodman?	9	Rhino, Rhino has counsel. If it's a
10	A I don't think so.	10	communication with counsel, it's privileged.
11	Q And how about the Mr. Liesgang, is	11	If he was, if he's talking to partners of his
12	that how you say his last name?	12	at the time who represented counsel, that's
13	A I think it's Liesgang.	13	privileged. That's too broad a question. As
14	Q Liesgang. Excuse me.	14	it stands now, I'm going to direct him not to
15	A Yes.	15	answer on the grounds of privilege but if you
16	Q And what did he tell you?	16	clarify the scope I may well let him answer.
17	A That he would not speak to me on the	17	Q Let's go back to 2000 --
18	content of the 21(a).	18	THE WITNESS: Ken, can you give me a
19	Q Did you attempt to speak to Andreas	19	minute? Can I talk to Jay for a second?
20	Badian?	20	MR. GUIDO: Sure.
21	A Yes.	21	(Whereupon, discussion between the
22	Q And what did he tell you?	22	witness and his counsel.)
23	A He would not speak to me in respect to	23	MR. AUSLANDER: I think we have a
24	the 21(a).	24	question that was asked and then an objection
25	Q Did anyone tell you why they would not	25	and a direction not to answer so perhaps --
1	Robert F. Charron	1	Robert F. Charron
2	speak to you?	2	MR. GUIDO: Can you read back the
3	A I do not recall.	3	question, I don't remember the objection, or
4	Q Did any of them tell you they were	4	the direction not to answer?
5	instructed not to speak to you?	5	MR. AUSLANDER: I don't think you
6	A I don't recall.	6	liked it because you got up and left.
7	Q How did you contact them to interview	7	MR. GUIDO: No, I think you were
8	them for information that you included in the 21(a)	8	consulting.
9	report?	9	(Whereupon, the requested portion was
10	MR. AUSLANDER: Objection.	10	read back by the Reporter:
11	You can answer.	11	"Question: Did you ever tell anyone
12	A By telephone.	12	that you believed that your preparation to
13	Q Did you speak to Thomas Badian	13	file the 21(a) had been impaired by the
14	subsequent to speaking to the other employees to	14	employees' refusal to answer your
15	communicate to him what they had told you?	15	questions?"
16	MR. AUSLANDER: In connection with the	16	BY MR. GUIDO:
17	21(a)?	17	Q Back in May/June of 2003 after you met
18	MR. GUIDO: In connection with the	18	with people who were employees of Rhino Advisors and
19	21(a).	19	you interviewed them in your preparation of the
20	A I don't think so.	20	21(a) report, did you ever tell anyone that their
21	Q Did you ever tell anyone that you	21	refusal to answer your questions or discuss the
22	believed that your preparation to file the 21(a) had	22	21(a) report with you impaired your ability to
23	been impaired by the employees' refusal to answer	23	prepare the 21(a) report?
24	your questions?	24	MR. AUSLANDER: Objection, and I'm
25	MR. AUSLANDER: Is that the end of the	25	going to direct the witness not to answer.

13 (Pages 46 to 49)